

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Faith S. Hochberg
v. : Criminal No. 08-858 (FSH)
OMAR RIVERA-FUENTES, : ORDER FOR CONTINUANCE
a/k/a "Martel Ramos-Contreras"

This matter having come before the Court on the joint application of Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (by Matthew E. Beck, Assistant U.S. Attorney) and defendant Omar Rivera-Fuentes, (by Donna Newman, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter from November 20, 2008 through March 30, 2009, to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court and that a continuance shall serve to delay a trial in this matter, and the defendant having consented to the continuance and waived such right, for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

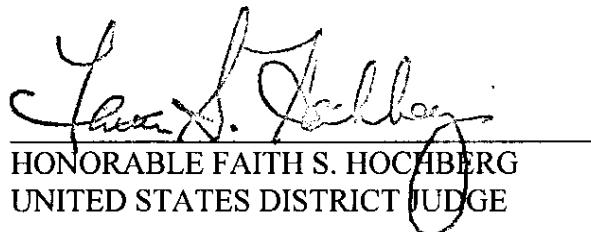
- (1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render a trial of this matter unnecessary;
- (2) Defendant consents to the continuance; and
- (3) Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a

speedy trial.

WHEREFORE, IT IS on this 10th day of December 2008,

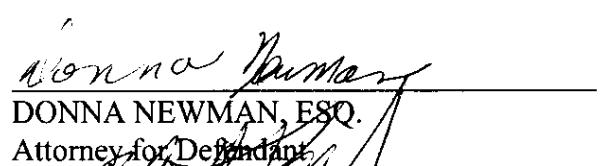
ORDERED that this action be, and it hereby is, continued from November 20, 2008 through March 30, 2009; defense motions, if any, are to be filed by January 16, 2009, opposition to defense motions are to be filed by January 29, 2009, motions shall be heard on to be set, 2009, and the trial shall be scheduled for February 3, 2009, absent any other reason to continue the proceedings; and it is further,

ORDERED that the period from November 20, 2008 through March 30, 2009 shall be excludable in computing time under the Speedy Trial Act of 1974 (as amended October 12, 1984), pursuant to Title 18, United States Code, Section 3161.



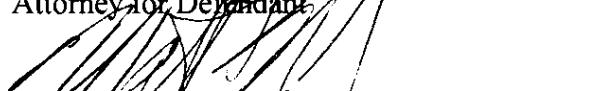
HONORABLE FAITH S. HOCHBERG
UNITED STATES DISTRICT JUDGE

I hereby consent to the form
and entry of this Order



DONNA NEWMAN, ESQ.

Attorney for Defendant



MATTHEW E. BECK
ASSISTANT UNITED STATES ATTORNEY